

# EXHIBIT B

## CLAIM CONSTRUCTION HEARING

Page 1	Page 3
<p>IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION ADJUSTACAM, LLC )(  ( CIVIL DOCKET NO. ( 6:10-CV-329 VS. )( TYLER, TEXAS (  ( FEBRUARY 9, 2012 AMAZON.COM, INC., ET AL. )( 9:00 A.M. CLAIM CONSTRUCTION HEARING BEFORE THE HONORABLE JUDGE JOHN D. LOVE UNITED STATES MAGISTRATE JUDGE</p> <p>APPEARANCES:</p> <p>FOR THE PLAINTIFF: (See Attorney Sign-In Sheet)</p> <p>FOR THE DEFENDANTS: (See Attorney Sign-In Sheet)</p> <p>COURT REPORTER: SHELLY HOLMES, Texas CSR 7804 Expiration Date: 12/31/12 Sunbelt Reporting &amp; Litigation 6575 West Loop South, Suite 580 Bellaire, Texas 77401 (903) 593-3213</p> <p>(Proceedings recorded by mechanical stenography, transcript produced on a CAT system.)</p>	<p>1 COURTROOM CLERK: All rise. 2 THE COURT: Please be seated. 3 All right. Ms. Morris, you may call the 4 case. 5 COURTROOM CLERK: The Court calls Case No. 6 6:10-CV-329, Adjustacam versus Amazon.com, et al. 7 THE COURT: Announcements. 8 MR. SPANGLER: Good morning. Andrew 9 Spangler on behalf of the Plaintiff. With me today is 10 Mr. John Edmonds and Mr. Johnathan -- 11 MR. YAZDANI: Yazdani. 12 MR. SPANGLER: -- Yazdani, yes. And we're 13 ready, Your Honor. 14 THE COURT: All right. And for the 15 Defendants? 16 MR. CRAFT: Morning, Your Honor, Brian 17 Craft. I'm here on behalf of Amazon.com with Jacqueline 18 Lu, Steve Daniels, here on behalf of Best Buy entities, 19 CDW, Fry's Electronics, Hewlett Packard Company, Micro 20 Electronics, and Office Depot. 21 THE COURT: Okay. 22 MR. HAMMOND: Herbert Hammond on behalf of 23 Gear Head. 24 MR. SMITH: Michael Smith on behalf of 25 Wal-Mart.</p>
Page 2	Page 4
<p>1 I N D E X 2 3 4 February 9, 2012 5 6 Page 7 Appearances 1 8 Hearing 3 9 Court Reporter's Certificate 98 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 MR. YARBROUGH: Trey Yarbrough, Your Honor, 2 on behalf of the Newegg Defendants and Rosewill. And 3 John Zarian, as well. Mr. Zarian will be arguing some 4 of the disputed terms. 5 THE COURT: All right. Thank you. 6 We're here, of course, for claim 7 construction hearing. As the -- I'm sure you probably 8 know, the way I want to approach this is to take this 9 term-by-term. I don't think there's, in this context, 10 really any necessity of any general tutorial of any 11 kind. I think you can just jump right into the terms. 12 And we'll go back and forth on the -- term-by-term. 13 Let me, though, before we begin just kind of 14 get a clear understanding of what terms are in dispute 15 going forward here. I'll just go kind of down the list. 16 I understand, I guess, that -- I'll just list them off, 17 that hinge member, rotatably attached terms, 18 disposition, support frame, I think these are the four 19 that I'm fairly certain are in dispute. Are there any 20 other terms in dispute? And I'm going off of what the 21 Defendants briefed. Support frame, disposition, hinge 22 member, and rotatably attached. Any other term in 23 dispute? 24 MS. LU: No, Your Honor. 25 THE COURT: Okay. Just those four?</p>

1 (Pages 1 to 4)

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## CLAIM CONSTRUCTION HEARING

<p style="text-align: right;">Page 49</p> <p>1 back up a little bit then. Now, what you've shown me in 2 this animation --</p> <p>3 MS. LU: Uh-huh.</p> <p>4 THE COURT: -- I'm assuming by showing me 5 that, you're saying that is what you believe this claim 6 comprises, that type of camera that goes from the table, 7 rotates on a second axis, and you set it on the laptop 8 screen; am I -- am I correct?</p> <p>9 MS. LU: Right. That animation is drawn 10 from the figures in the patent, and that's an example 11 showing you how the invention works. So, yes, that's 12 right.</p> <p>13 THE COURT: Okay. Well, I guess -- okay. 14 Give me an idea. We've argued here for an hour and 15 15 minutes about this -- this camera going from table to 16 laptop in such a fashion. I think Plaintiff raised the 17 issue, well, does that camera in Defendants' estimation 18 infringe this claim? Apparently the answer is yes. So 19 what are we really arguing about here? What's the 20 issue? Why is this so important?</p> <p>21 MS. LU: The issue -- well...</p> <p>22 THE COURT: I mean, I guess what's the 23 Plaintiff's theory on how this -- if what you're saying 24 is correct --</p> <p>25 MS. LU: Uh-huh.</p>	<p style="text-align: right;">Page 51</p> <p>1 you're trying to tell me what the configuration is.</p> <p>2 What Defendants are concerned about here is</p> <p>3 Plaintiffs will say anything connected to something else</p> <p>4 connected to a camera where the thing that's closest to</p> <p>5 the bottom could have different shapes. I'm not -- it</p> <p>6 doesn't matter how it makes it, it doesn't matter if the</p> <p>7 claim tells -- if -- if that product makes different</p> <p>8 shapes in a way that's taught by the claims, it doesn't</p> <p>9 matter if those have any relationship, then that's going</p> <p>10 to infringe because there are two pieces, and it can</p> <p>11 move, and one of those pieces can take different shapes.</p> <p>12 If you're going to tell me that you're going</p> <p>13 to read the claim on things that can take different</p> <p>14 shapes, well, then, the shape has to at least be enabled</p> <p>15 by the patent. It has to be -- you can't just say that</p> <p>16 you take a camera and some piece that allows the camera</p> <p>17 to rotate around two axes and stick it on to, say, a</p> <p>18 giant magnet, and you move the magnet from tabletop to</p> <p>19 laptop and say, oh, look, it's taking different shape,</p> <p>20 or a big sticky ball and you change that big sticky ball</p> <p>21 from one shape to another and say, look, it has</p> <p>22 different dispositions, that something like that would</p> <p>23 be covered by the claims.</p> <p>24 THE COURT: Okay. All right. Well, let's</p> <p>25 move -- I want to move on from this, but I do want to</p>
<p style="text-align: right;">Page 50</p> <p>1 THE COURT: -- and I think the Plaintiff</p> <p>2 will probably agree to a large extent that this patent</p> <p>3 is about a camera that can set up on a table and set up</p> <p>4 on a laptop, what is their theory as to what's your --</p> <p>5 how your cameras meet these claims, and then what's</p> <p>6 different about the camera you're showing me in the</p> <p>7 animation?</p> <p>8 MS. LU: Well, correct me if I'm wrong, Your</p> <p>9 Honor, but I didn't think that it was actually</p> <p>10 permissible for us to talk about -- import our</p> <p>11 non-infringement case into the claim construction, so --</p> <p>12 THE COURT: Well, if I'm going to spend over</p> <p>13 an hour talking about this, I need to know what's going</p> <p>14 on here. Why is this important? I mean --</p> <p>15 MS. LU: Right. Excellent point, Your</p> <p>16 Honor.</p> <p>17 THE COURT: I'm going to make it an issue,</p> <p>18 so tell me what's going on in this case.</p> <p>19 MS. LU: Okay. So what Defendants are</p> <p>20 concerned about with Plaintiff's construction is saying</p> <p>21 that a configuration or physical arrangement exists, but</p> <p>22 I'm not going to tell you how to make that</p> <p>23 configuration, and moreover, the only means of making</p> <p>24 that configuration in the claims, the second axis should</p> <p>25 not be taken into account -- taken into account when</p>	<p style="text-align: right;">Page 52</p> <p>1 get Plaintiff up one more time on this because we've got</p> <p>2 to move on.</p> <p>3 Mr. Edmonds, you know, I want to raise the</p> <p>4 issue here what really is -- is going on. I mean, what</p> <p>5 they're saying is, look, what you claimed was this</p> <p>6 configuration on the table, you move it, you rotated</p> <p>7 this second axis that's referred to in the claim, you</p> <p>8 set it up on the laptop. And they're saying, you're</p> <p>9 trying to make this into something that if it's got</p> <p>10 anything that supports this camera and you move it from</p> <p>11 table to laptop, as long as it's got this axis -- two</p> <p>12 axes you can find, it infringes.</p> <p>13 And they're saying, no, what you invented</p> <p>14 was this thing you can move from one surface to the</p> <p>15 another -- a surface to an object by rotating it, and</p> <p>16 that's what you've got, and now you're trying to make it</p> <p>17 into something that covers, I guess, a multitude of</p> <p>18 webcams that your claim is not supportive of, so --</p> <p>19 MR. EDMONDS: Yes, Your Honor, and I</p> <p>20 think --</p> <p>21 THE COURT: What is your theory here?</p> <p>22 What's going on here?</p> <p>23 MR. EDMONDS: Good question. So -- and I</p> <p>24 think this illustrates the point. My question to</p> <p>25 them -- I think everybody agrees that the illustration</p>

13 (Pages 49 to 52)

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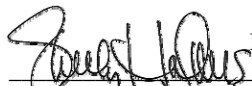

Page 97

1 THE COURT: All right. Thank you for your  
2 arguments, and we're adjourned.  
3 COURTROOM CLERK: All rise.  
4 (Hearing concluded.)  
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Page 98

1 CERTIFICATION  
2

3 I HEREBY CERTIFY that the foregoing is a  
4 true and correct transcript from the stenographic notes  
5 of the proceedings in the above-entitled matter to the  
6 best of my ability.  
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25 (Pages 97 to 98)

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